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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SANOFI-AVENTIS U.S. LLC,
SANOFAVENTIS DEUTSCHLAND
GMBH, and SANOFI WINTHROP
INDUSTRIE,

Plaintiffs/ Counterclaim
Defendants,

v.

MERCK SHARP & DOHME CORP.,

Defendant/ Counterclaim
Plaintiff.

C.A. No. 2:17-cv-05914 (SRC)(CLW)

NOTICE OF MOTION

(RETURNABLE NOVEMBER 5, 2018)

TO: Liza M. Walsh, Esq.
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COUNSEL:

PLEASE TAKE NOTICE that on November 5, 2018, or as soon thereafter as counsel may be heard, Defendant/Counterclaim Plaintiff Merck Sharp & Dohme Corp. (“Defendant”), through its undersigned attorneys, shall move before the Honorable Stanley R. Chesler, U.S.D.J., at the United States District Court for the District of New Jersey, 50 Walnut Street, Newark, NJ 07101 for an Order granting Party Defendant’s Motion Under Fed. R. Civ. P. 12(b)(1) to Dismiss Plaintiffs’ Complaint for Lack of Subject Matter Jurisdiction; and

PLEASE TAKE FURTHER NOTICE that in support of the motion, Defendant shall rely upon the Brief in Support of its Motion, submitted herewith; and

PLEASE TAKE FURTHER NOTICE that Defendant requests oral argument if Plaintiffs oppose the motion and the Certification of Gregory D. Bonifield, submitted herewith; and

PLEASE TAKE FURTHER NOTICE that at the time and place aforesaid, Defendant will request that the proposed form of Order submitted herewith be entered by the Court.

s/ Richard H. Brown

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Attorneys for Defendant

Dated: October 12, 2018

CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the within Notice of Motion and all supporting papers were filed electronically via the court's Electronic Case Filing System ("ECF") and were served on counsel of record electronically via ECF and also sent to them via email on this date.

s/ Richard H. Brown

RICHARD H. BROWN

Dated: October 12, 2018